

Message Text

CONFIDENTIAL

PAGE 01 NEW DE 12168 191610Z

61

ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-07 EB-07 AID-05 /076 W
----- 051052

R 191218Z AUG 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 7809

INFO AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

C O N F I D E N T I A L NEW DELHI 12168

E.O. 11652: GDS

TAGS: PARLIAMENT EXTENDS MISA DETENTION POWERS FOR ANOTHER 12
MONTHS AND THE CPI IS NOT HAPPY ABOUT IT

REF: NEW DELHI 11794

1. AFTER THREE DAYS OF DEBATE, THE LOK SABHA ON AUGUST 16
PASSED A BILL WHICH EXTENDS BY ANOTHER TWELVE MONTHS (I.E.
UNTIL JUNE 25, 1977) THE GOVERNMENT'S RIGHT TO DETAIN A
PERSON UNDER MISA WITHOUT DIVULGING THE GROUNDS FOR HIS
DETENTION. THE DEBATE AS REPORTED IN THE PRESS WAS NOTEWORTHY
FOR THE AMOUNT OF CRITICISM OF MISA BY OPPOSITION MP'S
PARTICULARLY THOSE OF THE CPI.

2. ACCORDING TO AN ACCOUNT PUBLISHED IN THE AUGUST 17
EDITION OF THE PRO-CPI HINDI DAILY JANYUG, CPI MEMBERS
INDRAJIT GUPTA, S.M. BANERJEE AND RAMAVATAR SHASTRI "STRONGLY
CRITICIZED THE MISUSE OF MISA GIVING NUMEROUS EXAMPLES
IN SUPPORT" JANYUG SAID FURTHER THAT "SOME CONGRESS
MEMBERS ALSO GAVE SEVERAL EZAMPLES OF THE MISUSE OF MISA."
SHASTRI HAD PRESENTED A LIST OF 17 CPI MEMBERS WHO HAD
BEEN ARRESTED UNDER MISA IN BIHAR AND ASKED HOME MINISTER
BRAHMANANDA REDDY WHY NONE OF THESE HAD BEEN RELEASED.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 NEW DE 12168 191610Z

HE FURTHER COMPLAINED THAT THE GOVERNMENT OF BIHAR WAS

TRYING TO SHIFT RESPONSIBILITY FOR THE RELEASE OF HIS
CIP COMRADES ON THE GOI, WHILE THE GOI WAS TRYING TO
SHIFT RESPONSIBILITY BACK TO THE STATE GOVERNMENT.

3. IN RESPONSE TO THESE CRITICISMS, HOME MINISTER REDDY
SAID THAT IT WAS PREMATURE TO INDICATE ANY DATE FOR THE
REVOCATION OF THE EMERGENCY "THOUGH SOME OF ITS RIGOURS
CAN BE RELAXED." HE SAID THAT LIFTING OF THE EMERGENCY
NOW COULD LEAD TO A "GROUPING OR REGROUPING OF THE FORCES"
WHOSE ACTIVITIES HAD NECESSITATED THE PROCLAMATION
OF THE EMERGENCY LAST YEAR. HE ALSO REFERRED TO OUTSIDE
FORCES "WHICH HAVE NOT TAKEN KINDLY TO OUR NATIONAL
INTEREST." REDDY DESCRIBED AS "MISLEADING" THE REPORTS
THE "LAKHS AND LAKHS" OF PEOPLE HAD BEEN DETAINED UNDER
MISA. WHILE HE REFRAINED FROM GIVING EXACT NUMBERS, HE
DID STATE THAT THE NUMBER OF DETENTIONS CAME TO ROUGHLY
TWO FOR EVERY HUNDRED THOUSAND OF POPULATION. (GOING ON
THE BASIS OF INDIA'S 600 MILLION POPULATION, THIS STATE-
MENT, WHICH REDDY HAD MADE ONCE BEFORE IN MADRAS ON JUNE 20
(NEW DELHI 9115), WOULD PUT THE NUMBER OF MISA DETENUS AT
APPROXIMATELY 12,000). REDDY ALSO ASSERTED THAT OF
THIS NUMBER NEARLY ONE THIRD BELONGED TO GANNED ORGANIZA-
TIONS, AND ANOTHER THIRD WERE ECONOMIC OFFENDERS
SUCH AS SMUGGLERS AND BLACK MARKETEERS. HE DENIED THAT
THERE HAD BEEN WIDE MISUSE OF MISA AND ADDED/ "I WISH
TO SAY THAT ABOUT 30 PERCENT OF THE PEOPLE HAVE BEEN
RELEASED AND ABOUT TEN PERCENT ARE ON PAROLE."

4. RESPONDING TO SPECIFIC CRITICISM FROM CPI MP'S
REDDY SAID THAT HIS MINISTRY HAD SENT DETAILED GUIDELINES
TO THE STATES SO THAT ALL POSSIBLE PRECAUTIONS WERE TAKEN
TO SEE THAT MISUSE OF MISA WAS KEPT TO THE "ABSOLUTE MINIMUM."
ACCORDING TO THE JANYUG ACCOUNT, REDDY ALSO AGREED TO
REVIEW THE SPECIFIC CASE TO WHICH REFERENCES HAD BEEN
MADE BY VARIOUS MP'S THE CPI ABSTAINED ON THE FINAL VOTE.

5. COMMENT: THE PROCLAMATION OF THE EMERGENCY A YEAR AGO
AROUSED MISGIVINGS IN CPI RANKS THAT THE GOI'S EMERGENCY
POWERS COULD BE USED TO SUPPRESS THE LEFT AS WELL AS THE
RIGHT. EVENTUALLY-PERHAPS UNDER SOME PRODDING FROM THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 NEW DE 12168 191610Z

SOVIET EMBASSY--THE PARTY DECIDED TO SUPPORT MRS. GANDHI,
THE EMERGENCY AND THE 20-POINT PROGRAM. NOW, A YEAR LATER, AS
THE GOVERNMENT'S DRAGNET APPARENTLY HAS BEGUN TO ROUND UP
SOME OF THE CPI'S OWN MEMBERS, THE INITIAL FEARS APPEAR TO
BE COMING ONCE MORE TO THE FORE. SANJAY GANDHI CONTINUES TO
REITERATE HIS HOSTILE VIEWS OF THE CPI AND COMMUNISM
(IN RECENT SPEECHES IN THE PUNJAB, AT THE DELHI YC CONFERENCE
LAST WEEK, AND IN AN INTERVIEW IN THE ILLUSTRATED WEEKLY

PUBLISHED AUGUST 13) AND THE CONGRESS PARTY MP'S GAVE BEEN
TOLD THAT GUIDANCE ISSUED LAST FALL TO MINIMIZE CONTACTS
WITH THE CPI HAS RECENTLY BEEN REISSUED WITH GREATER
STRENGTH. ONLY ONE CONGRESS MP-- IN ERROR--ATTENDED A
MEETING ORGANIZED THE CPI TO COMMEMORATE THAT AUGUST 15
NATIONAL DAY. CERTAINLY SOME CPI LEADERS (PARTICULARLY
N. CHAKRAVARTY THROUGH HIS THEORETICAL CPI JOURNAL
MAINSTREAM) AND RAND-AND-FILE HAVE LONG HAD DOUBTS ABOUT THE
EVOLUTION OF
CONGRESS-CPI RELATIONS, BUT "INTERNATIONAL CONSIDERATIONS"
(NEW DELHI 12077) THUS FAR HAVE KEPT THE CPI IN LINE. WE
WILL BE FOLLOWING THIS SUBJECT CLOSELY IN OUR FUTURE REPORTING.
SAXBE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DETENTION, CENTRAL LEGISLATURE, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: vogelfj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976NEWDE12168
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760318-1133
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760838/aaaabhat.tel
Line Count: 128
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 NEW DELHI 11794
Review Action: RELEASED, APPROVED
Review Authority: vogelfj
Review Comment: n/a
Review Content Flags:
Review Date: 09 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 JUN 2004 by buchant0>; APPROVED <06 OCT 2004 by vogelfj>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PARLIAMENT EXTENDS MISA DETENTION POWERS FOR ANOTHER 12 MONTHS AND THE CPI IS NOT HAPPY ABOUT IT
TAGS: PINT, PINS, IN, CPI
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006